

REMARKS

The Applicant does not believe that examination of this response will result in the introduction of new matter into the present application for invention. There are no amendments to the claims, therefore, the claims have not been reproduced. Therefore, the Applicant, respectfully, requests that this response be entered in and that the claims to the present application, kindly, be reconsidered.

The Final Office Action dated June 22, 2006 has been received and considered by the Applicants. Claims 1-20 are pending in the present application for invention. Claims 1-20 are rejected by the June 22, 2006 Final Office Action.

The Final Office Action rejects Claims 1-20 under the provisions of 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,182,116 issued to Namma et al. (hereinafter referred to as Namma et al.) in view U.S. Patent No. 6,281,790 issued to Kimmel et al. (hereinafter referred to as Kimmel et al.).

The Examiner's position is that Namma et al. disclose a remote monitoring system that allows a user to send commands to linked device and receive data from the devices. The Examiner states that while Namma et al. do not disclose a linked interface separate from the internet, Kimmel et al. teach using both wired and wireless LAN embodiments in connecting devices, and that it would have been obvious for a person of ordinary skill in the art to combine the teachings of Namma et al. and Kimmel et al. to create the subject matter defined by the rejected claims.

The Applicant initially points out that Namma et al. do not teach a distributed peer interface network. Namma et al. teach a virtual WWW server that connects via the internet to at least one WWW browser and a plurality of WWW servers (see col. 14, lines 16-22).

A peer-to-peer network, as well known to those of ordinary skill within the art, does not behave as a network of clients or servers. The network taught by Namma et al. is a network of clients or servers and not in any way manner or form a distributed peer interface network. The performance of peer-to-peer networks is much superior to a network of clients or servers. The distributed peer network differs from the client-server model in which communication takes place to and from a central server. Although Namma et al. may teach a virtual WWW server that connects via the internet to

a plurality of WWW servers and a browser, this is not equivalent to a peer distributed network or to a peer interface module as defined by the rejected claims. The entire disclosure of Namma et al. relates to communications using Hypertext Transport Protocol (HTTP) which is exactly the protocol that peer networks seek to avoid. Any network comprised of clients and servers that relies solely on HTTP to communicate, such as that taught by Namma et al., will observe internet traffic congestion as more and more peripherals are added to the network that must be handled by the central server. The Final Office Action fails simply makes a cursory statement that a peer distributed network, and peer interface module are taught by the combination of Namma et al. with Kimmel et al.

The MPEP at §2143 states that to "establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)."

The Applicant, respectfully, points out that neither Namma et al. nor Kimmel et al. disclose or suggest any form of a peer-to-peer network, peer distributed network, or peer interface module. In fact, the terminology peer-to-peer network, peer distributed network, or peer interface module do not appear in either of Namma et al. or Kimmel et al. Therefore, all the elements for the subject matter defined by the rejected claims is not found in the combination made by the Final Office Action. Accordingly a *prima facie* case of obviousness has not been made by the rejection.

In Namma et al., the central server is the virtual WWW server apparatus 1 that must multiplex that information from Web Servers 2, 3. The network of clients and servers taught by Namma et al. is not a distributed peer interface network and does not teach or suggest peer interface modules.

Additionally, the teaching of Namma et al. does not make

any disclosure or suggestion towards controlling the linked devices. Namma et al. consistently teach to control the supplying of video data from video cameras and provides no teaching related to controlling the linked devices themselves (see col. 7, lines 25-27; col. 7, line 64-col. 8, line 8; and col. 9, lines 8-13 and lines 52-65). Again, it is readily apparent that all the elements of the rejection claims are not found in the combination made by the rejection.

The Applicant, respectfully, points out that Kimmel et al. teach remotely monitoring a site. Specifically, Kimmel et al. teach numerous embodiments that allow for the viewing of sensors. The Examiner cites col. 1, line 65-col. 2, line 5 which states that a remote site can be monitored to distinguish between real and false alarms and that intruders or fires can be accurately located. Therefore, while Kimmel et al. may teach using both wired and wireless LAN embodiments to connect devices, there is no disclosure or suggestion within Kimmel et al. for any functionality towards controlling the sensors that are monitored. The principle of operation taught by Kimmel et al. is to monitor the sensors, not to control the sensors.

The MPEP at §2143.01 states that if "the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959)." The proposed modification or combination of Namma et al. with Kimmel et al. requires that the principle of operation as taught by Kimmel et al. be altered from one that monitors sensors to one that controls sensors. Therefore, the teachings of Namma et al. and Kimmel et al. are not sufficient to render the claims *prima facie* obvious.

Regarding Claim 1, the Examiner states that the teachings of Namma et al. and Kimmel et al. disclose a peer distributed, embedded web server system accessing and controlling a multiplicity of devices as defined by rejected Claim 1. The Examiner's position is that Fig. 9, item 91 of Namma et al. disclose a master control device comprising an embedded web server, peer interface module, and host software and a plurality of linked devices comprising an interface that communicate with the peer interface module of the master control device controlled by the embedded web server in Fig. 9 as items 21 and 31. The Applicant, respectfully, disagrees. There is no peer

interface module disclosed or suggested within Namma et al. The Applicant, respectfully, points out that Namma et al. clearly teach communications that takes place through the use of World Wide Web (WWW) servers and browsers (see Namma et al. col. 21, line 9-col. 22, line 22) to transfer HTML files via http communication. Communication through WWW servers and browsers to transfer HTML files via http communications is not equivalent to communication through peer to peer interface modules. To sustain a rejection based on obviousness, all the elements must be disclosed or suggested.

Furthermore, Namma et al. is not intended to operate in the manner suggested by the modification made in the rejection.

Additionally, the teaching of Namma et al. does not make any disclosure or suggestion towards controlling the linked devices. Namma et al. consistently teach to control the supplying of video data from video cameras and provides no teaching related to controlling the linked devices themselves (see col. 7, lines 25-27; col. 7, line 64-col. 8, line 8; col. 9, lines 8-13 and lines 52-65; and col. 21, lines 24-30). Again, it is readily apparent that all the elements of the rejection claims are not found in the combination made by the rejection.

Kimmel et al. teaches using both wired and wireless networks to monitor sensors; however, there is no disclosure or suggestion within Kimmel et al. for controlling the sensors that are monitored. The principle of operation taught by Kimmel et al. is to monitor the sensors, not to control the sensors.

The Examiner contends that the combination of Namma et al. and Kimmel et al. teach peer interface modules. The Applicant, respectfully, points out that peer to peer file transfer does not involve the use of clients and servers as taught by the system of Namma et al. Neither do Kimmel et al. teach any use of peer interface modules or P2P networks. Peer to peer transfer employs nodes that simultaneously function as both clients and servers with other nodes on the network. Accordingly, Claim 1 is believed to be allowable.

Claims 7 and 12 defines subject matter similar to Claim 1 and are believed to be allowable for the same reasons as discussed above regarding Claim 1. The remaining claims depend from Claim 1, 7 and 12 either directly or indirectly, and further

narrow and define these claims. Therefore, the remaining claims are also believed to be allowable.

Regarding Claims 2, 8 and 13, the Examiner asserts that Namma et al. teach a peer distributed, embedded web server system for accessing and controlling a multiplicity of devices, wherein said peer interface module of said master control device has an addressing capability for communicating individually with each of the interface modules of said plurality of linked devices. As previously discussed there is no disclosure or suggestion of any type of P2P network within Namma et al. Therefore, this rejection is traversed.

Regarding Claims 3, 9 and 14, the Examiner asserts that Namma et al. teach a peer distributed, embedded web server system for accessing and controlling a multiplicity of devices, including a digital video recorder, digital video encoder, and network camera. As previously discussed there is no disclosure or suggestion of any type of P2P network within Namma et al. Therefore, this rejection is traversed.

Regarding Claims 4, 10 and 15 the Examiner asserts that Namma et al. teach a peer distributed, embedded web server system for accessing and controlling a multiplicity of devices, wherein each digital video recorder is operatively connected to at least one camera. As previously discussed there is no disclosure or suggestion of any type of P2P network within Namma et al. Therefore, this rejection is traversed.

Regarding Claims 5 and 16, the Examiner asserts that Namma et al. teach a peer distributed, embedded web server system for accessing and controlling a multiplicity of devices, wherein said master control device and said linked devices are each operatively connected to at least one camera. As previously discussed there is no disclosure or suggestion of any type of P2P network within Namma et al. Therefore, this rejection is traversed.

Regarding Claims 6, 11 and 17, the Examiner asserts that Namma et al. teach a peer distributed, embedded web server system for accessing and controlling a multiplicity of devices, wherein said web browser provides HTTP commands to said master control device for receiving a video stream from at least one of said predetermined EWS devices in said EWS system. As previously discussed there is no disclosure or suggestion of any type of P2P network within Namma et al. Therefore, this rejection is traversed.

Regarding Claim 18, the Examiner asserts that Namma et al. teach distributed server system for accessing and controlling a multiplicity of devices in accordance with Claim

12, further comprising a viewer within web browser that allows each of said linked devices to be viewed by said master control device. As previously discussed there is no disclosure or suggestion of any type of P2P network within Namma et al. Therefore, this rejection is traversed.

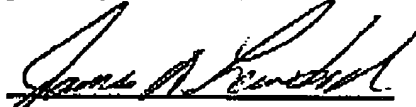
Regarding Claim 19, the Examiner asserts that Namma et al. teach distributed server system for accessing and controlling a multiplicity of devices in accordance with Claim 18, further comprising a web page within said web browser allows incorporation at least one additional of said linked devices into the distributed server system. As previously discussed there is no disclosure or suggestion of any type of P2P network within Namma et al. Therefore, this rejection is traversed.

Regarding Claim 18, the Examiner asserts that Namma et al. teach distributed server system for accessing and controlling a multiplicity of devices in accordance with Claim 19, wherein said web page provides address entry of said at least one additional of said linked devices and incorporation of said at least one additional of said linked into said viewer. As previously discussed there is no disclosure or suggestion of any type of P2P network within Namma et al. Therefore, this rejection is traversed.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

The Commissioner is hereby authorized to charge any fees associated with the filing of this response to Account No. 50-3745, including extension fees but excluding issue fees, and to credit any over payments to the same account.

Respectfully submitted,

By 

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